

Notice of Allowability	Application No.	Applicant(s)	
	10/725,716	VAN HOUTEN ET AL.	
	Examiner	Art Unit	
	Frantz F. Jules	3617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/04/05.
2. ☒ The allowed claim(s) is/are 19-22.
3. ☒ The drawings filed on 02 February 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>05/23/2005</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Remy J. VanOphen on May 23, 2005.

The application has been amended as follows:

In claim 1, lines 19-20, the phrase "said at least one of said cantilevered fingers" has been changed to --at least one of said plurality elongated extensions--.

REASON FOR ALLOWANCE

2. Eikhoff et al, Stanlake and Yue disclose various types of wheel cover assembly comprising a plurality of lug nuts each having a flange, a wheel cover adapted to cover the central portion of a wheel and the lug nuts; a plurality of elongated tubular extensions extending axially from said wheel cover for attaching the wheel cover to the lug nuts of the wheel, each elongated tubular extension including a plurality of axial slots between them subdividing the extension into a plurality of cantilevered fingers adapted to engage the flange of a respective lug nut to retain said wheel cover to said wheel; means for retaining disposed within said wheel cover, said means for retaining being adapted to engage a portion of each of said plurality of elongated tubular extensions, said means for retaining being configured to radially support some of the flexible fingers, whereby said flexible fingers assisted by said retention means snap fit

Art Unit: 3617

into engagement with said lug nuts such that said wheel cover assembly is removably attached to said wheel. Nielsen et al disclose a wheel cover retention system comprising a plurality of tubular extensions circumferential spaced about a central axis on a rear face of the cover and defining a plurality of cantilevered fingers to an apical end providing a means for biasing a radially inner portion of the cantilevered fingers. However, none of the references of record suggests a method of retaining a wheel cover to a vehicle wheel comprising a means for retaining on the rear face of the wheel cover, wherein the step of placing a means for biasing against at least one of said plurality of extensions and into engagement with means for retaining located on the rear face of a wheel cover base is provided in the manner defined in the instant claim 1 and in combination with other limitations of the claim. Therefore, claims 20-22, depending therefrom, are considered to be allowable.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz F. Jules whose telephone number is (703) 272-6681. The examiner can normally be reached on Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph S. Morano can be reached on (703) 272-6684. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz F. Jules
Primary Examiner
Art Unit 3617

FFJ

May 23, 2005

FRANTZ F. JULES
PRIMARY EXAMINER
